

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 32595 of 2006(E)

PETITIONER:

JAYABHADURI J.,
KADAVADAKKATHIL, PRAYAR NORTH,
PRAYAR P.O., ALAPPUZHA.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SMT.KAVITHA GANGADHARAN

RESPONDENTS:

1. UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM, REPRESENTED BY ITS REGISTRAR.
2. THE CONTROLLER OF EXAMINATIONS,
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM.
3. PRINCIPAL,
MILAD-E-SHERIEFF MEMORIAL COLLEGE,KAYAMKULAM.

R1&2 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

.....
W.P.(C) No.32595 of 2006
.....

Dated this the 9th day of January, 2007.

JUDGMENT

The University has withheld marklist of the petitioner of the final year degree examination for the reason that petitioner wrote the examination after one year of completion of the course. Degree course was completed by petitioner by attending classes in the third respondent-college during 1996-99. The petitioner could not write the examination after completion of course in 1999 on account of some disability. I do not think the contention of the University that if a student after completion of course does not register for examination, the student cannot be taken to have completed the course, is justified. Whether a student has completed the course and attained the required attendance to write the examination is a matter to be verified by the Principal of the College and if the student has completed the course, he is entitled to write the examination, even in a later year if by any chance such student could not write the examination immediately after completion of course. There can be various reasons when a student may fail to register for examination and write the examination which can be on account of disability, disease or the like. However, failure to write the

examination should not affect the eligibility of the student who has successfully completed the course. In the circumstances and since petitioner admittedly completed the course in 1999, there will be direction to the second respondent to issue the marklist to the petitioner within a week from the date of production of copy of this judgment by the petitioner.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms